

Fecal Impaction: Lapses In Care Lead To Settlement.

The eighty-three year-old resident had been in the long-term care facility fifteen years, thirteen in assisted living and her last two on a nursing floor.

After she died in the hospital the coroner's exam revealed signs of long-standing constipation and fecal impaction.

Even though her chart records from long-term care seemed to show she was eating well and having regular bowel movements until the very end, her probate estate's wrongful-death lawsuit alleged she was not getting proper attention and care.

The estate's lawsuit was settled, reportedly soon after the judge in the Circuit Court, Miami-Dade County, Florida ruled he would allow evidence to go to the jury that certain chart entries were fabricated after the fact and would allow punitive damages if the jury believed that was true.

The judge let the jury consider awarding punitive damages.

It came to light the medical records were altered after the fact.

The patient supposedly was cared for for two more days after she had already died in the hospital.

The assessments and care charted at the end were completely inconsistent with the coroner's post-mortem.

CIRCUIT COURT
MIAMI-DADE COUNTY, FLORIDA
August 5, 2008

Paradoxically, the resident had willed half her sizeable fortune to the nursing facility, which agreed in the settlement to accept \$600,000 less than the total it was to inherit. [Estate of Beedle v. East Ridge Retirement Village](#), 2008 WL 4210677 (Cir. Ct. Miami-Dade Co., Florida, August 5, 2008).